

## Fact Sheet

### **PROPOSED MODIFICATION OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE POLLUTANTS PURSUANT TO PROVISIONS OF THE CLEAN WATER ACT (CWA) FOR CITY AND BOROUGH OF JUNEAU AND AJT MINING PROPERTIES, INC., A.J. MINE.**

Permit Number: NPDES Permit No. AK-00495-1

#### **Public Comment Period**

Starts: **July 22, 2002**

Ends: **August 22, 2002**

#### **Technical Contact**

Name: **Madonna Narvaez**

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1-800-424-4372 ext. **1774** (within Alaska, Idaho, Oregon, and Washington)

Email: [narvaez.madonna@epa.gov](mailto:narvaez.madonna@epa.gov)

#### **EPA's Tentative Determination**

This fact sheet includes (a) the tentative determination of the Environmental Protection Agency (EPA) to modify the permit, (b) information on public comment, public hearings and appeal, and (c) the conditions and requirements contained in the modification.

Persons wishing to comment on the modifications contained in the proposed permit may do so before the expiration date of the Public Notice. Only the modifications are open to public comment. All written comments should be submitted to EPA as described below.

#### **State Certification**

The state of Alaska Department of Environmental Conservation proposes to certify the draft permit provided the discharge will comply with the applicable provisions of Sections 208(e), 301, 302, 303, 306 and 307 of the Clean Water Act. EPA is requesting that the Alaska Department of Environmental Conservation certify this NPDES permit for the **A-J Mine**, under section 401 of the Clean Water Act.

#### **Public Comment and Public Hearings**

Persons wishing to comment on the tentative determinations contained in the proposed permit may do so, in writing, by the end date of this public comment period. Comments must be received within this public comment period to be considered in the formulation of final determinations regarding the application. All comments should include the name, address, and

telephone number of the commenter and concise statement of the exact basis of any comment and the relevant facts upon which it is based.

Persons wishing to request that a public hearing be held may do so, in writing, by the end date of this public comment period. A request for a public hearing shall state the nature of the issues to be raised, as well as the requester's name, address, and telephone number.

All written comments and requests should be submitted to the attention of the Director, Office of Water at the following address:

U.S. EPA, Region 10  
Re: **A-J Mine**  
1200 Sixth Avenue, M/S OW-130  
Seattle, Washington 98101

Comments may also be submitted electronically to the technical contact listed above.

After the Public Notice expires, and all comments have been considered, EPA's Director for the Office of Water in Region 10 will make a final decision regarding permit re-issuance. If no significant comments are received, the tentative conditions in the draft permit will become final, and the permit will become effective upon issuance. If comments are received, EPA will address the comments and issue the permit. The permit will become effective 30 days after the issuance date, unless the permit is appealed to the Environmental Appeals Board within 30 days.

Persons wishing to comment on State Certification should submit written comments by the end date of this public comment period to the state of Alaska, with a copy to EPA, at the following address:

State of Alaska  
Alaska Department of Environmental Conservation (ADEC)  
410 Willoughby, Suite 303  
Juneau, Alaska 99801-1795  
Attn: Clynda Case

Persons wishing to comment on the State Determination of Consistency with the Alaska Coastal management Program should submit written comments by the end date of this public comment period. Comments, particularly on the proposed project's consistency with the affected local coastal district management program, are requested by the Division of Governmental Coordination. Comments regarding inconsistency with an affected coastal district's enforceable policy or a state standards set out in 6 AAC 80.040 6 AAC 80.150 must identify the enforceable policy or standard and explain how the project is inconsistent. Written comments must be received by 5:00 pm on the end date of this public comment period to be considered by the Division of Governmental Coordination. Individuals with disabilities who may need auxiliary aids,

services, or special modifications to participate in this review may contact the numbers above, or TDD 465-3888.

All written comments should be addressed to the attention of Alaska Coastal Management Program Consistency Review and submitted to:

State of Alaska  
Central Office  
Office of Management and Budget  
Division of Governmental Coordination  
P.O. Box 110030  
Juneau, Alaska 99811-0030

### **Availability of Documents**

The following documents are available at the EPA Region 10 Office, 1200 Sixth Ave, Seattle, Washington, between 8:30 a.m. and 4:00 p.m., Monday through Friday:

1. permit application and any supporting data submitted by the permittee
2. draft permit
3. fact sheet
4. documents referenced in fact sheet
5. other documents (e.g., meeting reports, correspondence, trip reports, telephone memos, calculations, etc.)

Copies of the draft permit and fact sheet are also available at:

EPA Region 10 website: [www.epa.gov/r10earth/water.htm](http://www.epa.gov/r10earth/water.htm)

EPA Alaska Operations Office, Anchorage  
Room 537  
Federal Building  
222 West 7th Avenue, #19  
Anchorage, Alaska 99513

EPA Alaska Operations Office, Juneau  
709 W. 9th Street, Room 223  
P.O. Box 20370  
Juneau, Alaska 99802-9998

## TECHNICAL INFORMATION

### 1. SUMMARY OF MODIFICATIONS

The intent of this proposed modification of the permit is to reduce the amount and frequency of monitoring from this facility. Outfall 002 has been deleted because the discharge from that outfall has been terminated. In addition, portions of the best management plan (BMP) related to Outfall 002 have also been deleted. As a result of these proposed modifications, the permit pages have been re-numbered.

### 2. DESCRIPTION OF THE INDUSTRY

Echo Bay Exploration, Inc. conducted exploration activities at the A-J Mine located near Juneau, Alaska. The company originally proposed to re-open the mine. The A-J mine is a historic producer of lode gold. Past operation processed a total of 100 million tons of low grade ore until 1944. Mine reserves were anticipated to provide at least a 13 year mine life at a mining rate of 22,500 tons per day.

The AJ Mine has various existing stopes and historic workings which are open to the surface (roughly 80 acres). Accumulated precipitation in various forms infiltrates and percolates through these open areas into the mine. During the exploration phase of the mine, EB routed this water to prevent contact with working areas of the mine and routed water from their exploration activities into a section of the mine called the Deep Workings.

The company applied for a permit for discharges from the Gold Creek Drainage Tunnel on May 23, 1994. The application was amended on October 1, 1994, and again on December 28, 1994. The application was further updated February 4, 1997. Since that time, EB proceeded with closure of the mine, with Kvaerner Environmental conducting closure activities on behalf of EB. The closeout work was completed on June 13, 2000 in accordance with a closeout plan approved by EPA and the Alaska Department of Environmental Conservation. At that time, the permit was also modified to reflect the new permittees, the City and Borough of Juneau (CBJ) and the AJT Mining Properties, Inc. Since 2000, the CBJ has conducted monthly, quarterly, and annual testing as required by the original permit. Based on the results of this testing, the CBJ submitted a modification request to eliminate whole effluent toxicity testing for the fourth year, eliminate monthly and quarterly testing for Outfall 001, and continue annual testing for Outfall 001.

### 3. RECEIVING WATER

Gold Creek and Sheep Creek, according to Alaska's Water Quality Standards [18 AAC 70.050(a)(1)], are protected for water supply; water recreation; and growth and

propagation of fish, shellfish, other aquatic life and wildlife. Gold Creek flows through Last Chance Basin which contains the well field that supplies drinking water to the City of Juneau.

4. REGULATORY AUTHORITY

**A. State of Alaska Water quality Standards and Limitations**

Section 301(b)(1) of the Act requires the establishment of limitations in permits necessary to meet water quality standards by July 1, 1997. All discharges to State waters must comply with State and local coastal management plans, as well as with state water quality standards, including the state's antidegradation policy.

Discharges to state waters must also comply with limitations imposed by the state as part of its coastal management program consistency determinations, and of its certification of NPDES permits under section 401 of the Act.

**B. Section 308 of the Clean Water Act**

Under section 308 of the Act and under 40 CFR Part 122.44(i), the Director must require a discharger to conduct monitoring to determine compliance with effluent limitations and to assist in the development of effluent limitations.

5. SPECIFIC PERMIT CONDITIONS

This modification of the existing permit NPDES Permit No. AK-004951-4 for CBJ and AJT Mining Properties, Inc., A-J Mine, is based on new information developed as a result of the monitoring conducted since issuance of the permit, closeout of the mine and a request from the CBJ.

6. REMOVALS, CHANGES AND ADDITIONS

**A. Removal of Language**

The previous permit contained language that would have allowed exploration to be conducted at the mine. All references to "Phase 2 (Exploration)" have been deleted from the permit. In addition, since closeout of the mine, there is no longer any discharge from Outfall 002. The requirement for whole effluent toxicity (WET) testing in the fourth year has been removed, since none of the WET test results exceeded 2.3 TU<sub>c</sub>. The following table summarizes the deletions.

Page	Deletion
6,7	Table 1A, "Effluent Limitations, Outfall 002"

Page	Deletion
8-11	Part II.B., “Whole Effluent Toxicity (WET) Testing”
11-12	Section I. C.2, 3-5 (water quality monitoring program requirements for Outfall 002)
13	Section I.D., “Monitoring - 002”
23 - 27	Sections 1.F.2.d.(l) - (p) were deleted entirely. (Outfall 002 Phase I and II; Ebner, Alexander, and Level “00” Site Activities)
<b>Note: Sections and page numbers refer to sections and page numbers of the current permit.</b>	

## **B. Changes**

The following table summarizes the revisions proposed by this modification. Based on the information provided by the monitoring that has been completed since the permit was originally issued in 1998, and the fact that mine closure has been completed, EPA has reduced the monitoring frequency as shown below.

Page	Change
4	Monitoring frequency was reduced to annual from quarterly.
11-12	Tables 2, 2A, and 2B were combined into one Table 2. The monitoring frequency was reduced to annual from quarterly.
<b>Note: Sections and page numbers refer to sections and page numbers of the current permit.</b>	

## **7. OTHER LEGAL REQUIREMENTS**

### **A. Oil Spill Requirements**

Section 311 of the Act prohibits the discharge of oil and hazardous materials in harmful quantities. Routine discharges specifically controlled by a permit are excluded from the provisions of section 311. However, this permit does not preclude the institution of legal action or relieve the permittee from any responsibilities, or penalties for other, unauthorized discharges of oil and hazardous materials which are covered by section 311 of the Act.

### **B. Coastal Zone Management Act**

A determination that the activities allowed by this proposed permit are consistent with the Alaska Coastal Management Plan must be made in accordance with the Coastal Zone Management Act before a final permit will be issued.

**C. State Water Quality Standards and State Certification**

The provisions of section 401 of the Act apply. In accordance with 40 CFR Part 124.01(c)(1), public notice of the proposed permit modification has been provided to the State of Alaska and Alaska state agencies having jurisdiction over fish, shellfish, and wildlife resources, and over coastal zone management plans.

**D. Endangered Species Act**

According to the US Fish and Wildlife Service species lists for this area, there are no threatened or endangered species. (<http://Alaska.fws.gov/es/listmarch01.pdf>)

